

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

FILED/ACCEPTED

FFR 16 2017

Federal Communications Commission  
Office of the Secretary

In the Matter of

Amendment of Section 73.622(i)  
Post-Transition Table of Allotments,  
Digital Television Broadcast Stations  
(Birmingham, Alabama)

MB Docket No. \_\_\_\_\_  
RM- \_\_\_\_\_

To: Office of the Secretary  
Attn: Chief, Video Division  
Media Bureau

## SECOND SUPPLEMENT TO PETITION FOR RULE MAKING TO AMEND THE TABLE OF DTV ALLOTMENTS

By its attorneys and pursuant to Sections 1.401, 73.616, and 73.622(a) of the Commission's Rules,<sup>1</sup> Media General Communications Holdings, LLC ("Licensee"), licensee of WVTM-TV, Birmingham, Alabama (the "Station"), hereby submits this Second Supplement to the Petition for Rule Making filed on May 13, 2011, to provide information demonstrating how Licensee's proposal advances the public interest.

In the Petition, Licensee requested that the Commission institute a rulemaking to amend Section 73.622(i), the Post-Transition Table of DTV Allotments, by substituting Channel 21 as the Station's allotment in lieu of Channel 13. The Petition explained that, by changing from VHF Channel 13 to UHF Channel 21, Licensee would be able to more meaningfully replicate the Station's traditional analog service area and provide more reliable service for viewers within the Station's service area. On February 3, 2012, Licensee filed a Supplement to its Petition for Rule

<sup>1</sup> 47 C.F.R. §§ 1.401, 73.616, 73.622(a).

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Making demonstrating that operation on Channel 21 would enhance the Station's service area and, thus, serve the public interest.

Licensee submits this Second Supplement to show that operation on Channel 21 will serve the public interest because such operation will provide service to viewers superior to that provided by the Station's existing Channel 13 facilities. As the Commission is aware, television broadcasters on digital VHF channels have faced a number of challenges since the DTV transition was completed in 2009.<sup>2</sup> In this case, Licensee has received a number of complaints from viewers with UHF-only antennas. The Station is the NBC affiliate for the Birmingham, Alabama market. The FOX affiliate, CBS affiliate, and a satellite for the ABC affiliate, however, operate on UHF channels. As a result, use of smaller, more convenient UHF-only antennas is common in the Birmingham market; with such antennas, viewers are unable to receive WVTM-TV. Because WVTM-TV operates on a VHF channel, some viewers have been forced to purchase additional equipment to be able to view the Station.<sup>3</sup>

For the reasons set forth in the Petition, the first Supplement, and this Second Supplement, Licensee respectfully requests that the Commission amend the Post-Transition Table of DTV Allotments as proposed. Adoption would serve the public interest by permitting the Station to restore service to over-the-air viewers who own UHF-only antennas. In addition, as Licensee stated in its first Supplement, Licensee reiterates its request that the Commission find that good cause exists under Section 553(d)(3) of the Administrative Procedures Act (5

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<sup>2</sup> See, e.g., *Amendment of Section 73.622(i), Post-Transition Table of DTV Allotments (El Paso, Texas)*, 26 FCC Rcd 4013 (MB 2011) (amending the DTV table of allotments to change the DTV Channel for KTSM-TV from a VHF channel to a UHF channel because many of the station's viewers lost over-the-air service when the station was operating on a digital VHF channel).

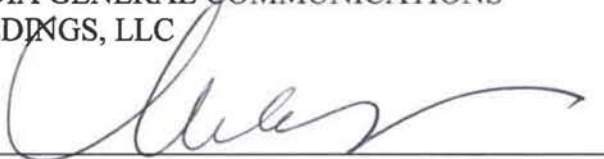
<sup>3</sup> See Exhibit A – Statement of Chuck Blackwood

U.S.C. § 553(d)(3)) to make this change effective immediately upon publication in the Federal Register of a Report and Order in this proceeding.<sup>4</sup>

Respectfully submitted,

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Dated: February 16, 2012

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<sup>4</sup> See, e.g., *Ann Arbor, Michigan*, 24 FCC Rcd 10856, 10857 (MB 2009) (“An expedited effective date is necessary in this case to ensure that station WPXD-TV can provide improved service to its market as quickly as possible.”). See also *Bismark, North Dakota*, 24 FCC Rcd 7534 (MB 2009); *St. Paul, Minnesota*, 24 FCC Rcd 8953 (MB 2009); *Bryan, Texas*, 24 FCC Rcd 4867 (MB 2009).

**EXHIBIT A**

**Statement of Chuck Blackwood**

### STATEMENT OF CHUCK BLACKWOOD

1. My name is Chuck Blackwood. I am the Chief Engineer of WVTM-TV, Birmingham, Alabama. I have held this position for 10 years, and my service has included the period during June 2009, when WVTM-TV implemented its post-transition digital facilities on Channel 13.
2. Since the transition, WVTM-TV has heard from numerous viewers who have experienced over-the-air reception problems. The vast majority of the problems has come from viewers with UHF-only antennas.
3. WVTM-TV is the NBC affiliate for the Birmingham, Alabama market. In Birmingham, the FOX and CBS affiliates and one of the satellite stations for the ABC affiliate all transmit on UHF channels. Viewers have complained to me that they are unable to receive WVTM-TV over the air, but they can receive these other stations.
4. I have explained to these viewers that because WVTM-TV transmits on a VHF channel, they likely will not be able to receive WVTM-TV with their existing UHF-only equipment.

Executed on February 16, 2012

  
Chuck Blackwood